(Foreign associate use only)

DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No. 44471-293037

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL SAMPLING SYSTEM FOR SIMULTANEOUSLY MONITORING INTENSITY MODULATION AND FREQUENCY MODULATION , the specification of which

[X] is attached hereto.

[ ] was filed on _____ as U.S. Application or PCT International Application No. _____ and was amended (if applicable) on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. *I understand that I have a duty of candor and good faith toward the Patent and Trademark Office,* and I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Country	App. No.	Date of Filing	Priority Claimed Under 35 USC §119
Japan	P2002-294705	08/October/2002	Yes X No

I hereby claim the benefit under Title 35, United States Code, § 120 of any prior United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each claim of the present application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date	Status: patented, pending, abandoned

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

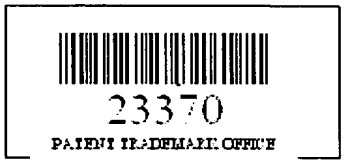
I hereby authorize the U.S. attorneys named herein to accept and follow instructions from **Miyoshi & Miyoshi** as to any action to be taken in the Patent and Trademark Office regarding this application, without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney named herein will be notified by the undersigned.

POWER OF ATTORNEY: The following attorneys are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: **Customer Number 23370**

Direct all correspondence to: **Customer Number 23370**

Direct telephone calls to **404-815-6500** to Brenda O. Holmes

AFFIX BAR CODE LABEL HERE →



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Inventor's signature	Fumihiko Ito Date: September 26, 2003

[ ] Additional inventors are being named on separately numbered sheets attached hereto.